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Annual report of the International Tribunal for the Law of the Sea for 1999

Presented by the Registrar

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I. Introduction

1. The present report of the International Tribunal for the Law of the Sea is submitted to the Meeting of States Parties under rule 6, paragraph 3 (d), of the Rules of Procedure for Meetings of States Parties. The report covers the period from 1 January to 31 December 1999.

2. The Tribunal was established by the 1982 United Nations Convention on the Law of the Sea (hereinafter "the Convention"). It functions in accordance with the relevant provisions of Part XV and Part XI of the Convention as well as with the Statute (hereinafter "the Statute"), as contained in Annex VI to the Convention, and the Rules of the Tribunal (hereinafter "the Rules").

3. The Tribunal is composed of 21 members, elected by the States Parties to the Convention in the manner provided for by article 4 of the Statute.

4. In accordance with article 5, paragraph 1, of the Statute, the terms of office of seven members first elected on 1 August 1996 expired on 30 September 1999.

5. Up to 30 September 1999, the composition of the Tribunal was as follows:

Order of precedence	*Country*	*Date of expiry of term of office*
President		
Thomas A. Mensah	Ghana	30 September 2005
Vice-President		
Rüdiger Wolfrum	Germany	30 September 1999
Judges		
Lihai Zhao	China	30 September 2002
Hugo Caminos	Argentina	30 September 2002
Vicente Marotta Rangel	Brazil	30 September 1999
Alexander Yankov	Bulgaria	30 September 2002
Soji Yamamoto	Japan	30 September 2005
Anatoly Lazarevich Kolodkin	Russian Federation	30 September 1999
Choon-Ho Park	Republic of Korea	30 September 2005
Paul Bamela Engo	Cameroon	30 September 1999
L. Dolliver M. Nelson	Grenada	30 September 2005
P. Chandrasekhara Rao	India	30 September 1999
Joseph Akl	Lebanon	30 September 1999
David Anderson	United Kingdom	30 September 2005
Budislav Vukas	Croatia	30 September 2005
Joseph Sinde Warioba	United Republic of Tanzania	30 September 1999

Order of precedence	*Country*	*Date of expiry of term of office*
Edward Arthur Laing	Belize	30 September 2002
Tullio Treves	Italy	30 September 2002
Mohamed Mouldi Marsit	Tunisia	30 September 2005
Gudmundur Eiriksson	Iceland	30 September 2002
Tafsir Malick Ndiaye	Senegal	30 September 2002

6. From 1 October 1999, the composition of the Tribunal is as follows:

Order of precedence	*Country*	*Date of expiry of term of office*
President		
P. Chandrasekhara Rao	India	30 September 2008
Vice-President		
L. Dolliver M. Nelson	Grenada	30 September 2005
Judges		
Lihai Zhao	China	30 September 2002
Hugo Caminos	Argentina	30 September 2002
Vicente Marotta Rangel	Brazil	30 September 2008
Alexander Yankov	Bulgaria	30 September 2002
Soji Yamamoto	Japan	30 September 2005
Anatoly Lazarevich Kolodkin	Russian Federation	30 September 2008
Choon-Ho Park	Republic of Korea	30 September 2005
Paul Bamela Engo	Cameroon	30 September 2008
Thomas A. Mensah	Ghana	30 September 2005
Joseph Akl	Lebanon	30 September 2008
David Anderson	United Kingdom	30 September 2005
Budislav Vukas	Croatia	30 September 2005
Rüdiger Wolfrum	Germany	30 September 2008
Edward Arthur Laing	Belize	30 September 2002
Tullio Treves	Italy	30 September 2002
Mohamed Mouldi Marsit	Tunisia	30 September 2005
Gudmundur Eiriksson	Iceland	30 September 2002
Tafsir Malick Ndiaye	Senegal	30 September 2002
José Luis Jesus	Cape Verde	30 September 2008

7. Judge P. Chandrasekhara Rao serves as President of the Tribunal and Judge Dolliver Nelson as Vice-President.

8. The Registrar is Mr. Gritakumar E. Chitty of Sri Lanka and the Deputy Registrar is Mr. Philippe Gautier of Belgium.

II. Organization of the Tribunal

A. Changes in the composition of the Tribunal

9. The Eighth Meeting of States Parties decided that the triennial election of seven members whose terms of office were to expire on 30 September 1999 would be held on 24 May 1999.[1]

10. Acting pursuant to article 4, paragraph 2, of the Statute, the Registrar, in a note verbale dated 24 November 1998, invited Governments of States Parties to the Convention to submit by 17 February 1999 the names of candidates they might wish to nominate for election as members of the Tribunal. A list of all persons nominated, in alphabetical order, with an indication of the States Parties which nominated them, was prepared by the Registrar and circulated to States Parties as document SPLOS/32.[2] The list was submitted to States Parties.

11. On 24 May 1999, the Ninth Meeting of States Parties re-elected Judges Akl, Bamela Engo, Chandrasekhara Rao, Kolodkin, Marotta Rangel, Wolfrum and elected Mr. José Luis Jesus as a Judge, for a nine-year term starting from 1 October 1999.

B. Solemn declaration

12. Pursuant to article 11 of the Statute, every member of the Tribunal is required, before taking up his duties, to make a solemn declaration that he will exercise his powers impartially and conscientiously. The declaration is to be made at the first public sitting at which the member is present.[3]

13. On 1 October 1999, Judge Jesus made the solemn declaration provided for in article 5 of the Rules at a public sitting of the Tribunal. Pursuant to paragraph 3 of that article, re-elected members were not required to make a new declaration.

C. Election of the President and the Vice-President

14. On 1 October 1999, the judges elected Judge P. Chandrasekhara Rao as President of the Tribunal. The President entered upon his functions forthwith. On 4 October 1999, Judge Dolliver Nelson was elected Vice-President. As provided for in article 12 of the Statute, the President and the Vice-President are both elected for a term of three years.

III. Sessions of the Tribunal

15. During the period under review, the Tribunal held two sessions. The seventh session was held from 25 February to 16 April 1999. This session was held in conjunction with the proceedings concerning the *M/V "Saiga" (No. 2)* case. The eighth session was held from 27 September to 8 October 1999 and was devoted to organizational matters.

IV. Chambers

A. Seabed Disputes Chamber

16. The Seabed Disputes Chamber consists of 11 judges selected by the members of the Tribunal from among themselves.[4] The members of the Chamber are selected triennially.

17. Pursuant to the Rules, the terms of office of the members first selected on 20 February 1997 expired on 30 September 1999.[5] The composition of the Chamber was as follows: Judge Akl, President; Judges Zhao, Marotta Rangel, Bamela Engo, Nelson, Chandrasekhara Rao, Anderson, Vukas, Warioba, Treves and Ndiaye, members.

18. During the eighth session, on 4 October 1999, the Tribunal selected the members of the Seabed Disputes Chamber. As required by the Statute, the judges of the Chamber were selected in such a manner as to ensure the representation of the principal legal systems of the world and equitable geographical distribution. The members of the Chamber entered upon their duties forthwith and elected Judge Treves as President of the Chamber. The composition of the Chamber, in order of precedence, is as follows: Judge Treves, President; Judges Zhao, Marotta Rangel, Yamamoto, Kolodkin, Park, Bamela Engo, Vukas, Wolfrum, Laing and Marsit, members.

19. The terms of office of the members of the Chamber expire on 30 September 2002.

B. Special Chambers

1. Chamber of Summary Procedure

20. The Chamber of Summary Procedure was established in accordance with article 15, paragraph 3, of the Statute, and consists of five members and two alternates. In accordance with article 28 of the Rules, the President and the Vice-President of the Tribunal are ex officio members of the Chamber, with the President of the Tribunal serving as President of the Chamber. The Chamber is constituted annually.

21. During the eighth session, on 4 October 1999, the Chamber was constituted for the period ending 30 September 2000. The members of the Chamber, in order of precedence, are as follows: President Chandrasekhara Rao; Vice-President Nelson; Judges Vukas, Eiriksson and Ndiaye, members; Judges Marotta Rangel and Yamamoto, alternates.

2. Chamber for Fisheries Disputes

22. The Chamber for Fisheries Disputes was established in accordance with article 15, paragraph 1, of the Statute and consists of seven members. As decided by the Tribunal, the members of the Chamber are selected for a three-year term.

23. The terms of office of the members of the Chamber, selected on 20 February 1997, expired on 30 September 1999. The composition of the Chamber was as follows: Judge Caminos, President; Judges Yamamoto, Bamela Engo, Chandrasekhara Rao, Anderson, Laing and Eiriksson, members.

24. During the eighth session, on 4 October 1999, the Tribunal selected the members of the Chamber for Fisheries Disputes. The members of the Chamber entered upon their duties forthwith and elected Judge Eiriksson as President of the Chamber. The composition of the Chamber, in order of precedence, is as follows: Judge Eiriksson, President; Judges Caminos, Yamamoto, Kolodkin, Park, Ndiaye and Jesus, members.

25. The terms of office of the members of the Chamber expire on 30 September 2002.

3. Chamber for Marine Environment Disputes

26. The Chamber for Marine Environment Disputes was established in accordance with article 15, paragraph 1, of the Statute and consists of seven members. As decided by the Tribunal, the members of the Chamber for Marine Environment Disputes are selected for a three-year term.

27. The terms of office of the members of the Chamber, selected on 20 February 1997, expired on 30 September 1999. The composition of the Chamber was as follows: Judge Wolfrum, President; Judges Yankov, Yamamoto, Kolodkin, Park, Warioba and Marsit, members.

28. During the eighth session, on 4 October 1999, the Tribunal selected the members of the Chamber for Marine Environment Disputes. The members of the Chamber entered upon their duties forthwith and elected Judge Yankov to be President of the Chamber. The composition of the Chamber, in order of precedence, is as follows: Judge Yankov, President; Judges Marotta Rangel, Bamela Engo, Mensah, Akl, Anderson and Vukas, members.

29. The terms of office of the members of the Chamber expire on 30 September 2002.

V. Committees and working groups

30. During the eighth session, on 4 October 1999, the Tribunal reconstituted its committees for the period ending 30 September 2000.[6]

A. Committee on Budget and Finance

31. The members of the Committee on Budget and Finance selected on 4 October 1999 are as follows: Judge Wolfrum, Chairman; Judges Yankov, Mensah, Akl, Anderson and Jesus, members.

B. Committee on Rules and Judicial Practice

32. The members of the Committee on Rules and Judicial Practice selected on 4 October 1999 are as follows: President Chandrasekhara Rao, Chairman; Vice-President Nelson; Judges Caminos, Yankov, Mensah, Akl, Anderson, Vukas, Laing, Treves (ex officio), Eiriksson and Ndiaye, members.

C. Committee on Staff and Administration

33. The members of the Committee on Staff and Administration selected on 4 October 1999 are as follows: Judge Mensah, Chairman; Judges Yamamoto, Kolodkin, Bamela Engo, Laing, Marsit and Eiriksson, members.

D. Committee on Library and Publications

34. The members of the Committee on Library and Publications selected on 4 October 1999 are as follows: Judge Park, Chairman; Judges Caminos, Marotta Rangel, Anderson, Vukas, Wolfrum, Treves, Marsit and Ndiaye, members.

E. Buildings and electronic systems

1. Working Group on Buildings and Electronic Systems

35. During the seventh session, on 16 April 1999, the Tribunal decided that the Working Group on Buildings and Electronic Systems would be constituted as follows: Judge Laing, Chairman; Judges Wolfrum, Park, Chandrasekhara Rao, Akl and Anderson, members.[7]

2. Committee on Buildings and Electronic Systems

36. During the eighth session, on 4 October 1999, the Tribunal decided that the Working Group on Buildings and Electronic Systems would be established as a new committee of the Tribunal and constituted it as follows: Judge Laing, Chairman; Judges Yankov, Mensah, Akl, Wolfrum, Marsit and Eiriksson, members.

37. The Committee on Buildings and Electronic Systems is to make recommendations to the Tribunal with respect to its permanent premises, especially its electronic systems and services, artworks, information systems and electronic equipment.

VI. Rules of the Tribunal and supplementary documents

A. Rules of the Tribunal

38. During the eighth session, the Tribunal addressed the issue of legal costs for parties appearing before the Tribunal and requested Judge Anderson to present a report for consideration by the Tribunal at its ninth session.

39. During the eighth session, the Tribunal also addressed the question of bonds and other financial securities and requested Judge Laing to present a paper for consideration by the Tribunal at its ninth session.

B. Rules for the preparation of typed and printed texts

40. During the eighth session, the Tribunal requested the Registrar to formulate rules for the preparation of typed and printed texts, as referred to in paragraph 1 of the Guidelines concerning the Preparation and Presentation of Cases before the Tribunal. Pending the adoption of such rules, parties to cases before the Tribunal have been provided with a note on basic requirements for typed, word processed and printed texts.

C. Guidelines concerning Documents

41. During the eighth session, the Tribunal adopted Guidelines concerning Documents (ITLOS/24), the guidelines concern proof-reading of documents and publications of the Tribunal which are to be made available to the public in printed or electronic form.

VII. Privileges and immunities

A. General Agreement

42. The Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea adopted by the Seventh Meeting of States Parties on 23 May 1997, was deposited with the Secretary-General of the United Nations and opened for signature at United Nations Headquarters for 24 months from 1 July 1997.[8] The Agreement is subject to ratification or accession

and will enter into force 30 days after the date of deposit of the tenth instrument of ratification or accession. As of 30 June 1999, the closing date for signature, 21 States had signed the Agreement. As of 31 December 1999, two States had ratified it.

B. Headquarters Agreement

43. At its seventh and eighth sessions, President Mensah reported to the Tribunal on the stage of negotiations with the German authorities on the Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany. At the end of December 1999, the negotiations on the Headquarters Agreement remained inconclusive.

VIII. Relations with the United Nations and other organizations

A. Observer status with the General Assembly

44. As an observer to the General Assembly of the United Nations, the Tribunal participated in meetings of the General Assembly on matters of relevance for the Tribunal.

45. At the plenary of the fifty-fourth session of the General Assembly, on 22 November 1999, President Chandrasekhara Rao delivered a statement under agenda item 40 (a), "Oceans and the law of the sea: law of the sea".

B. Relationship Agreement with the United Nations

46. At the eighth session, the Registrar reported to the Tribunal on developments regarding the implementation of the Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea, including the issuance of a laissez-passer to judges and staff of the Registry and assistance provided to the Tribunal by the Treaty Section of the Office of Legal Affairs and the Division for Ocean Affairs and the Law of the Sea.

C. Relationship with other organizations and bodies

47. At its seventh session, the Tribunal requested the Registrar to continue discussions with the Secretary-General of the International Seabed Authority with a view to reaching an inter-secretariat agreement concerning exchange of information.

48. The Registrar informed the Tribunal about an inquiry from the International Seabed Authority concerning the possible involvement of the Tribunal in proceedings instituted against staff members of the Authority under article 168, paragraph 3, of the Convention. The Tribunal considered that the Staff Regulations of the International Seabed Authority could provide for the President of the Tribunal, if so requested, to appoint a panel in order to constitute a tribunal to deal with such proceedings.

49. At its eighth session, the Registrar reported to the Tribunal on matters related to the International Seabed Authority and other international organizations. At that session, the Tribunal requested the Registrar to establish working contacts with all international organizations whose activities were relevant to the work of the Tribunal.

IX. Premises of the Tribunal

50. The Tribunal is expected to move to its permanent premises in the first half of 2000.

51. At the eighth session, consideration was given to the inauguration of the permanent premises and practical arrangements to facilitate the move to the new building. The Tribunal decided that the official opening of the new premises would take place either in July 2000, in the event that it could be held in conjunction with a visit of the Secretary-General of the United Nations to Germany, or if that was not possible, in October 2000.

52. During the period under review, the Registrar conducted negotiations with representatives of the Federal Ministry of Justice on an agreement between the Government of Germany and the Tribunal concerning the use and occupancy of the premises of the Tribunal.

X. Judicial work of the Tribunal in 1999

A. The *M/V "Saiga" (No. 2)* case

53. The *M/V "Saiga" (No. 2)* case concerned a dispute between Saint Vincent and the Grenadines and Guinea arising from the arrest and detention of the vessel *Saiga* by Guinean authorities. A Request for the prompt release of the ship and its crew was the subject of the first judgment of the Tribunal dated 4 December 1997.

54. By an exchange of letters dated 20 February 1998, the parties agreed to transfer the arbitration proceedings concerning the *Saiga* instituted by Saint Vincent and the Grenadines to the Tribunal. Written pleadings consisting of a Memorial by Saint Vincent and the Grenadines, a Counter-Memorial by Guinea, a Reply by Saint Vincent and the Grenadines and a Rejoinder by Guinea were submitted to the Tribunal during 1998.

55. Upon the closure of the written proceedings in the case, the President, by an Order of 18 January 1999, fixed 8 March 1999 as the date for the opening of the oral proceedings.

56. Prior to the opening of the oral proceedings, the Tribunal held initial deliberations on 1, 2 and 5 March 1999.

57. The hearing took place in the courtroom at the temporary premises of the Tribunal. Eighteen public sittings to hear the oral arguments of the parties and to present evidence were held, from 8 to 20 March 1999. Final submissions were made by each party at the end of the hearing.

58. On 1 July 1999, the Tribunal delivered its judgment in the *M/V " Saiga" (No. 2)* case.[9]

B. *Southern Bluefin Tuna* cases

59. On 30 July 1999, at 8.38 a.m., a Request for the prescription of provisional measures, pending the constitution of an arbitral tribunal, was filed by facsimile in the Registry of the Tribunal by New Zealand in accordance with article 290, paragraph 5, of the Convention, in a dispute against Japan concerning southern bluefin tuna. The Request was accompanied by a copy of a document dated 15 July 1999, instituting arbitral proceedings against Japan. The Request of New Zealand was entered in the List of cases as case No. 3 and named *Southern Bluefin Tuna Case* (*New Zealand* v. *Japan*), Request for provisional measures.

60. On 30 July 1999, at 2.30 p.m., a Request for the prescription of provisional measures, pending the constitution of an arbitral tribunal, was filed by facsimile in the Registry of the Tribunal by Australia in accordance with article 290, paragraph 5, of the Convention, in a dispute against Japan concerning southern bluefin tuna. The Request was accompanied by a copy of a document dated 15 July 1999, instituting arbitral proceedings against Japan. The Request of Australia was entered in the List of cases as case No. 4 and named *Southern Bluefin Tuna Case (Australia* v. *Japan)*, Request for provisional measures.

61. Japan filed its Statement in Response with the Registry on 9 August 1999.

62. In their Requests, Australia and New Zealand, as parties in the same interest, jointly nominated Mr. Ivan Shearer, AM, as judge ad hoc. Mr. Shearer was admitted to participate in the case as judge ad hoc after having made a solemn declaration at a public sitting of the Tribunal held on 16 August 1999.

63. By separate Orders of 3 August 1999 with respect to each Request, the President fixed 18 August 1999 as the date for the opening of the hearing. By an Order of 16 August 1999, the Tribunal joined the proceedings in the cases.

64. Prior to the opening of the hearing, the Tribunal held initial deliberations on 16 and 17 August 1999.

65. The hearing was held in the courtroom at the temporary premises of the Tribunal. Five public sittings to hear the oral arguments of the parties and to present evidence were held, from 18 to 20 August 1999. Final submissions were made by each party at the end of the hearing.

66. On 27 August 1999, the Tribunal delivered its Order in the case.[10]

XI. Finances

A. Budget

67. The expenses of the Tribunal are borne by the States Parties and by the International Seabed

Authority and other entities, as provided for in article 19 of the Statute. The Meeting of States Parties decided that the contributions by States Parties should be based upon the scale of assessment for the regular budget of the United Nations for the corresponding financial year, adjusted to take account of participation in the Convention.[11]

1. Budget for 2000

68. The budget proposals for 2000, approved by the Tribunal at its seventh session, were submitted to the Ninth Meeting of States Parties. The proposals, involving an amount of $8,705,576, were based on the Tribunal's expected schedule of judicial work, its programme of organizational sessions and the forthcoming move to its permanent premises.

69. The Meeting of States Parties approved a budget for 2000 totalling US$ 7,657,019. The budget provided for recurrent expenditure of $6,672,255, including $1,863,490 for the remuneration of the judges and $3,219,909 for salaries and related costs of staff, and non-recurrent expenditure of $255,400. The Meeting of States Parties also approved $679,364 as a contingency fund to be used in the event of cases being submitted to the Tribunal. The Meeting of States Parties further approved an additional amount of $50,000 for advances to the Working Capital Fund of the Tribunal.[12]

70. The European Community will contribute a sum of $75,000 to the 2000 budget of the Tribunal.[13]

71. At its seventh session, the Tribunal decided to present a request to the Ninth Meeting of States Parties for adjustment of remuneration of the members, as contained in document ITLOS/WP.9 dated 5 March 1999. The revision to the remuneration level of judges in line with the increase in the remuneration of the judges of the International Court of Justice was approved by the Meeting of States Parties for the year 2000.[14]

72. The Meeting of States Parties also decided that a floor rate of 0.01 per cent and a ceiling rate of 25.00 per cent should be used in establishing the scale of assessments for States Parties for the budget of the Tribunal for 2000.[15]

2. Budget proposals for 2001

73. At its eighth session, the Committee on Budget and Finance gave preliminary consideration to the budget for 2001. On the recommendation of the Committee, the Tribunal decided that the Committee would meet prior to the ninth session to prepare the draft budget for 2001.

3. Report on budget performance

74. At the seventh and eighth sessions, the Tribunal considered the budget performance for the 1998 and 1999 periods, respectively, based on reports and projections presented by the Registrar.

B. Status of contributions

75. As of 31 December 1999, 30 States Parties had made their contributions (in the full amount assessed or above) to the 1999 budget, totalling $2,901,395. Partial contributions totalling $3,674,103 had been made by 43 States Parties, leaving a balance of unpaid contributions in respect of those States Parties of $440,864. Payment of assessed contributions in the amount of $506,972 towards the 1999 budget by 59 States Parties was still pending.

76. Furthermore, assessed contributions amounting to $525,454 in respect of the 1996-1997 and 1998 budgets were still pending as of 31 December 1999, resulting in an unpaid balance of assessed contributions to the successive budgets of the Tribunal in the amount of $1,473,290.

77. At the seventh and eighth sessions, the Registrar informed the Tribunal of the financial situation of the Tribunal and the shortfall in the payment of contributions resulting in the non-availability of funds. At the eighth session, the Registrar was requested to take appropriate steps to facilitate the speedy collection of contributions from States Parties.

C. Report of the Auditor for 1999

78. In accordance with the practice of the United Nations system, arrangements were made for the accounts of the Tribunal for 1998 to be audited by an internationally recognized auditing firm. The audit report for the 1998 financial statements of the Tribunal was presented by the Registrar at the eighth session. The auditor, having reviewed the transactions and operations over that period, was satisfied that the financial statements presented fairly, in all material respects, the financial position of the Tribunal, and that

the excess of income over expenditure for the period then ended was in conformity with generally accepted accounting principles and with the Financial Regulations of the United Nations, which were applied *mutatis mutandis*. The report would be submitted to the Tenth Meeting of States Parties (see SPLOS/51).

79. At its eighth session, the Tribunal also authorized the reappointment of the existing auditor for the 1999 financial period. For 2000, the Tribunal agreed that the Registrar would request bids and that on that basis a decision would be taken after consideration of the Financial Regulations of the Tribunal by the Meeting of States Parties.[16]

80. Further to a request by the Ninth Meeting of States Parties, the Tribunal instructed the auditor to deal in future audits with certain issues as identified by the Meeting of States Parties in its report.[17]

D. Financial Regulations

81. The Financial Regulations, approved by the Tribunal on 8 October 1998, were submitted to the Ninth Meeting of States Parties. The Meeting reviewed the Financial Regulations and decided to continue its deliberations on the text at the next (tenth) meeting with a view to its adoption. The Meeting also agreed that any further comments and amendments should be provided in writing to the Secretariat by 30 November 1999.[18]

82. At its eighth session, the Tribunal requested the Budget and Finance Committee to consider the comments made by the Meeting, based on proposals by the Registrar, and to report to the Tribunal.

83. Pending approval of the Financial Regulations of the Tribunal by the Meeting of States Parties, the Financial Regulations and Rules of the United Nations apply *mutatis mutandis*.

E. Trust funds and donations

84. Consideration was given at the seventh session to a trust fund to assist States which might need financial support in bringing or defending cases before the Tribunal. At the eighth session, a report on the subject was presented by Judge Anderson. There was consensus among the members in favour of setting up a trust fund and it was decided that the President would hold consultations on the question inter-sessionally.

XII. Entitlements of judges

A. Pension Scheme for Members of the Tribunal

85. At its meeting of 5 March 1999, the Tribunal approved draft pension scheme regulations for members (ITLOS/20), which were submitted to the Ninth Meeting of States Parties. The Meeting made some modifications to the text and thereafter adopted the Pension Scheme Regulations for Members of the International Tribunal for the Law of the Sea as amended.[19] At its eighth session, the Tribunal gave consideration to implementation of the Pension Scheme for Judges.

B. Other entitlements

86. At its seventh session, the Tribunal approved its policy regarding judges' entitlement to daily subsistence allowance payments. At its eighth session, the Tribunal gave consideration to health insurance coverage for judges.

XIII. Administrative matters

A. Staff Regulations

87. The Staff Regulations of the Tribunal, approved by the Tribunal on 8 October 1998, were submitted to the Ninth Meeting of States Parties. The Meeting took note of the Staff Regulations.

88. Pending the establishment of staff rules by the Registrar, the Staff Rules of the United Nations apply *mutatis mutandis*.

89. At its eighth session, the Tribunal requested the Registrar to inform staff members that the Tribunal attached importance to the early establishment of a Staff Committee. The Tribunal also requested the Registrar to take the necessary steps to establish a Conciliation Committee and to expedite consultations with the Legal Counsel of the United Nations with a view to concluding an Exchange of Letters extending

the jurisdiction of the United Nations Administrative Tribunal to the staff of the Tribunal.

B. Staff movement

90. The Tribunal continued the recruitment process for both Professional and General Service Staff, in accordance with article 35 of the Rules. At the end of 1999, the status of the recruitment process was as follows:

(a) Recruitment completed: Chief of Administration (P-5) and Translator/Reviser (P-4);

(b) Recruitment not yet completed for Systems Administrator/Database Manager (P-3) and Contributions Officer (P-2);

(c) Recruitment for two General Service posts was completed and the recruited staff are now serving on fixed-term contracts.

91. Temporary personnel were recruited to assist the Tribunal in its judicial work concerning the *M/V "Saiga" (No. 2)* case and the *Southern Bluefin Tuna* cases.

C. Instructions for the Registry

92. The Committee on Staff and Administration continued its consideration of draft Instructions for the Registry prepared by the Registrar.

D. Guidelines on the Preparation and Circulation of Documents

93. At its eighth session, based on a proposal by Judge Mensah, the Tribunal on 8 October 1999 adopted Guidelines on the Preparation and Circulation of Documents (ITLOS/23). The guidelines establish procedures for the preparation and circulation of documents presented by the Registrar or judges at sessions of the Tribunal.

E. Internship Programme

94. Based on the United Nations Internship Programme, an Internship Programme of the Tribunal was established in 1997. Since then 17 interns have served a period of internship at the Tribunal.

95. At its eighth session, the Tribunal requested the Registrar to review the procedures for the internship arrangements and to report to the Committee on Staff and Administration at the next session of the Tribunal.

XIV. Building and electronic systems

96. During the period under review, consultations were held with the German authorities to discuss matters pertaining to the future premises, including suggestions for improvements to the new building as regards interpretation facilities, electronic systems and art objects.

97. Upon the invitation of the Supreme Court of Singapore, a delegation of the Tribunal visited Singapore from 12 to 14 May 1999 to examine the use of electronic technology in the administration of justice and electronic dissemination of legal information.

XV. Library facilities

98. During the period under review, a complete evaluation was conducted of the Library's vendors for cost, efficiency and customer service. Based on suggestions from the Committee on Library and Publications, significant numbers of monographs and serial titles were selected and ordered. Gaps in the Library's serial holdings were identified and orders were placed for all available issues. A monthly list of new monographs and serials received in the Library is prepared and circulated to all judges.

99. At its seventh session, the Tribunal expressed its consent to and appreciation for a donation by the Korea Foundation to the Library.

100. A list of donors to the Library is contained in the annex to the present report.

XVI. Publications

101. During the period under review, the first *Yearbook* (1996/1997) and the Basic Texts were published.

102. The Tribunal will also publish, on a regular basis, the *Report of Judgments, Orders and Advisory Opinions* and the *Pleadings, Minutes of Public Sittings and Documents*.

XVII. Public information

103. The Tribunal publicized its work by means of press releases and briefings by the Registry and by distribution of its judgments, orders and publications such as the *Yearbook*. Information about the Tribunal is also presented on the United Nations web site (http://www.un.org/Depts/los). Addresses and publications by the judges also helped to publicize the work of the Tribunal.

XVIII. Moot Court Competition

104. At the seventh session, the Tribunal agreed to a request by the Chairman of the Organizing Committee of the Charles Rousseau International Law Moot Court Competition for the year 2000 to host the final stages of the competition at the permanent premises. It was decided that the final and semi-final rounds of the competition would be held at the premises on 5 and 6 May 2000. The Tribunal agreed that the facilities of the Tribunal and a limited assistance of staff of the Registry would be made available but that no financial support would be provided.

XIX. Future work

105. The Tribunal convened for its ninth session from 6 to 17 March 2000 to deal with its organizational and administrative work.

Notes

[1] SPLOS/31, para. 71.

[2] SPLOS/32.

[3] Rules, article 5.

[4] Statute, article 35.

[5] Rules, article 23.

[6] For the terms of reference of the Committees, see SPLOS/27, paras. 27-40.

[7] SPLOS/35, para. 30.

[8] SPLOS/24, para. 27.

[9] The judgment, pleadings and verbatim records are available on the United Nations web site: http://www.un.org/Depts/los.

[10] The Order of 27 August 1999, pleadings and verbatim records are available on the United Nations web site: http://www.un.org/Depts/los.

[11] SPLOS/31, para. 21, and SPLOS/L.9, para. 5.

[12] SPLOS/48, para. 24.

[13] Ibid., para. 27.

[14] Ibid., paras. 18 and 19.

[15] Ibid., para. 26.

[16] Ibid., para. 29.

[17] Ibid.

[18] Ibid., para. 37.

[19] SPLOS/47.

Annex

List of donors to the Library of the International Tribunal for the Law of the Sea (1999)*

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* This list of donors does not take into account donations from members of the Tribunal and staff of the Registry.

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